IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FOURTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 13702 of 2004

Between:

G. Laxminarasimha Reddy, S/o Sita Ram Reddy,
(U/s) PACS Charlapally, Nalgonda District.

..... PETITIONER

AND

1 The Divisional Co-operative Officer, Nalgonda .
2 Primary Agricultural Co-operative Society, Charlapally, Nalgonda District, rep. by its Person-in-Charge/President.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue Writ Order or Direction more particularly one in the nature of Writ of mandamus, declaring the action of the respondents in not releasing the 50% contingency allowance to the petitioner from the date of suspension ie., 15-11-2004 to till date pursuant to the representation submitted by the petitioner on 1-3-2004, as illegal, arbitrary, violative of fundamental rights and consequently direct the respondents herein to pay the contingency allowance till the disposal of the enquiry proceedings being held pursuant to the show cause notice dt. 14-10-2003 and to grant such other relief or reliefs

Counsel for the Petitioner:MR.M.A.MUJEEB

Counsel for the Respondent No.1: GP FOR COOPERATION

Counsel for the Respondent No.2: --

The Court made the following:

ORDER:

The petitioner is working as a Secretary in the 2nd respondent Society and he was kept under suspension on 14.11.2003. The grievance of the petitioner is that though six months period has elapsed, the 2nd respondent did not pay any subsistence allowance to him during the period of suspension. Therefore, he approached this Court seeking a direction to the 2nd respondent for payment of the subsistence allowance for the suspension period.

The respondents are therefore directed to pay subsistence allowance due to the petitioner within four weeks from the date of receipt of a copy of this order and continue to pay the subsistence allowance till the suspension is raised or the final orders are passed in the enquiry whichever is earlier. The writ petition is accordingly disposed of. No order as to costs.

4th August, 2004

Chvn/Dsr.

ASSISTANT REGISTRAR

// TRUE COPY//

SECTION OFFICER

To.

1. The Divisional Co-operative Officer, Nalgonda

2. The Person-in-Charge/President, Primary Agricultural

Co-operative Society, Charlapally, Nalgonda District

3. Two CCs to the G.P.for Cooperation, High Court Buildings

Hyderabad (OUT)

4. Two CD Copies.